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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,626	01/13/2005	Timo Vitikainen	855.0012.U1(US)	2021
29683 7590 07/10/2008 HARRINGTON & SMITH, PC 4 RESEARCH DRIVE SHELTON, CT 06484-6212			EXAMINER LENNOX, NATALIE	
			ART UNIT 2626	PAPER NUMBER
			MAIL DATE 07/10/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/521,626	Applicant(s) VITIKAINEN ET AL.	
	Examiner NATALIE LENNOX	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action has been issued in response to the amendments filed on March 3, 2008. Claims 1-18 are pending with claims 2, 4, 7, 9, 12, and 14 amended.

Response to Arguments

1. Applicant's arguments filed March 3, 2008 have been fully considered but they are not persuasive.

Regarding applicant's arguments with respect to independent claim 1 and similar independent claims 6, 11, 16, and 17, applicant points out that the "behavior/service manager" 215 from Fig. 2 of Coffman and its management functions ("such management functions include, for example, keeping track of which applications are registered, what the dialog interfaces of the applications, and what is the state of each application") lack specific mention of important aspects of Applicant's invention ("examining at least part of the profile; and using voice user interface features which are appropriate to the profile and refraining from using inappropriate features"). Applicant further states that "the mere mention of managing several voice applications is not enough. It is conceivable that the voice applications in Coffman are accessed and controlled in similar manners, so there may be no need to review profiles to make sure inappropriate features are not being used." Examiner respectfully disagrees with the applicant in that Coffman lacks "examining at least part of the profile" given that as provided in lines 12-24 of Col. 15, Coffman lists some examples of conversational services and behaviors which the conversational application and behavior/service

manager 215 manages in which "conversational resource management" is specifically listed, in other words the manager 215 must query (examine) the "conversational resource manager 220" (profile) in order to verify or confirm which conversational engines are registered. With respect to "refraining from using inappropriate features," examiner agrees that Coffman does not specifically mention that limitation, however Coffman does make a determination of which features are "appropriate," as provided in Col. 9, lines 51-60, therefore it would have been obvious to a person having ordinary skill in the art at the time of the invention that while using "appropriate" features, "inappropriate" features are being refrained from use. Additionally, Col. 11, lines 29 and 51, and Col. 12, lines 16 and 47 provide an example where multi-modal features are available, but they are only used "where appropriate." This determination makes more clear the fact that they are refraining from using them (multimodal features) where and when it is not appropriate. Further, applicant presents the examiner's mention of a "conversational resource manager" as an apparent inherency argument and goes on to point out to Coffman's Col. 15, lines 24-28, and how the "conversational application & behavior/services manager 215" adapts the user interface to the capabilities and constraints to the device, application and/or user preferences, which are "irrelevant to the subject matter of claim 1." Examiner would like to apologize for not specifically pointing out to lines 37-49 of Col. 15, where the "conversational resource manager 220," and not "conversational application & behavior/services manager 215" (emphasis added), are explained, where more specifically lines 41-49 provide for the selection of particular engines and network path to be used to minimize any network delay and

maintain a flowing dialog with the active application, which suggests that at least for some situations more than one "interface capabilities" are available for use, and that also the appropriate ones for the specific function are selected, in other words, refraining from the inappropriate engines that might perhaps increase a delay.

2. Applicant's arguments, see Remarks pages 8-10, filed March 3, 2008, with respect to the rejection(s) of claim(s) 1-18 under Coffman et al. (US Patent 7,137,126) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Coffman et al. (WO 00/20962).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Coffman et al. (WO 00/20962), hereinafter Coffman.

As per claim 1, Coffman teaches a method of operating a mobile device, the method comprising:

maintaining a profile of voice user interface capabilities associated with

the device (Page 20, lines 24-31);

storing an application having voice user interface features on the device or on a server in communication with the device (conversational aware applications 200 from Fig. 2, also Page 12, line 26 to page 21, line 13);

examining at least part of the profile (conversational application and behavior/service manager 215 and conversational resource manager 220 from Fig. 2, also defined in Page 19, line 26 to page 20, line 18, and page 20, lines 24-31. More specifically page 20, lines 4-14, provides examples of conversational services and behaviors which the conversational application and behavior/service manager 215 manages in which "conversational resource management" is specifically listed, in other words the manager 215 must query (examine) the "conversational resource manager 220" (profile) in order to verify or confirm which conversational engines are registered.);

and using voice user interface features of the application which are appropriate to the profile and refraining from using inappropriate features (Page 13, lines 8-13, also page 15, lines 15 and 29, and page 17, lines 15 and 36, which provide an example where multi-modal features are available but they are only used "where appropriate." This determination makes more clear and specific the fact that they are refraining from using them (multimodal features) where and when it is not appropriate.).

As per claim 6, Coffman teaches a mobile device, comprising:

a storage device for maintaining a profile of voice user interface capabilities associated with the device (conversational resource manager 220 from Fig. 2, also

Page 20, lines 24-31);

a reader for examining at least part of the profile (conversational application and behavior/service manager 215 and conversational resource manager 220 from Fig. 2, also defined in Page 19, line 26 to page 20, line 18, and page 20, lines 24-31. More specifically page 20, lines 4-14, provides examples of conversational services and behaviors which the conversational application and behavior/service manager 215 manages in which "conversational resource management" is specifically listed, in other words the manager 215 must query (examine) the "conversational resource manager 220" (profile) in order to verify or confirm which conversational engines are registered.); and

an application runner arranged to run an application using voice user interface features of the application which are appropriate to the profile and to refrain from using inappropriate features (conversational application and behavior/service manager 215 from Fig. 2, also defined in Page 19, line 26 to page 20, line 18, "responsible for executing all the different functions needed to adapt the UI (user interface) to the capabilities and constraints of the device, application and/or user preferences. Also, Page 13, lines 8-13, also page 15, lines 15 and 29, and page 17, lines 15 and 36, which provide an example where multi-modal features are available but they are only used "where appropriate." This determination makes more clear and specific the fact that they are refraining from using them (multimodal features) where and when it is not appropriate.).

As per claim 11, Coffman teaches a system comprising:

a mobile device having voice user interface capabilities (client (local) from Fig. 3, examples of client devices in Page 23, lines 23-25); and

a server, capable of communicating with the mobile device (other networked devices (e.g. server) from Fig. 3 in communication with client (local), more specifically described in Page 22, line 29 to page 23, line 15),

the server being arranged to examine at least part of a profile voice user interface capabilities associated with the mobile device, and to run an application using voice user interface features of the application which are appropriate to the profile and to refrain from using inappropriate features (distributed conversational protocols 300 from Fig. 3, also Page 22, line 32 to page 23, line 9, and page 23 lines 16-25, wherein the mobile device and the server may be part of a master/slave conversational network configuration, and wherein using the appropriate features of each device comes from their known registered capabilities. Also, Page 13, lines 8-13, also page 15, lines 15 and 29, and page 17, lines 15 and 36, which provide an example where multi-modal features are available but they are only used “where appropriate.” This determination makes more clear and specific the fact that they are refraining from using them (multimodal features) where and when it is not appropriate.).

As per claims 2 and 7, Coffman teaches a method and mobile device as claimed in claims 1 and 6, further comprising prior to the using step: initializing the application using information included in the profile (Conversational application and

behavior/service manager layer 215 from Fig. 2, also Page 19, line 26 to page 20, line 4).

As per claims 3, 8 and 13, Coffman teaches a method, mobile device and system, as claimed in claims 1, 6, and 11, in which the maintaining step includes maintaining information relating to any combination of vocabulary, dialogue, automatic speech recognition and text-to-speech synthesis capabilities (data files 17 from Fig. 1 (see Page 13, lines 8-11) and conversational engines 18 from Fig. 1 and 208 in Fig. 2 (see Page 19, lines 16-19)).

As per claims 4, 9, and 14, Coffman teaches a method, mobile device, and system, as claimed in claims 1, 6, and 11, in which the maintaining step includes maintaining information relating to grammar capabilities, wherein the grammar capabilities comprise at least one of statistical and context free grammar capabilities associated with the device (data files 17 from Fig. 1 and finite state grammar (see Page 13, lines 8-11)).

As per claims 5 and 10, Coffman teaches a method and mobile device as claimed in claim in claims 1 and 6, in which the using step includes referring to definitions forming part of the application, and using those definitions with at least part of the profile to determine which parts of the application are appropriate to the profile (conversational application and behavior/service manager 215 from Fig. 2, also defined

in Page 19, line 26 to page 20, line 18, "responsible for executing all the different functions needed to adapt the UI (user interface) to the capabilities and constraints of the device, application and/or user preferences.").

As per claim 12, Coffman teaches a system as claimed in claim 11, in which the server comprises an initializer, arranged to use information included in the profile to initialize the application (Page 23, lines 16-25, wherein the mobile device and the server may be part of a master/slave conversational network configuration with the profile features already registered in the distributed conversational protocols 300.).

As per claim 15, Coffman teaches a system as claimed in claim 11, in which the server is arranged to refer to definitions forming part of the application, and to use these definitions with at least part of the profile to determine which parts of the application are appropriate to the profile (distributed conversational protocols 300 from Fig. 3, also Page 22, line 32 to page 23, line 9, wherein the mobile device and the server may be part of a master/slave conversational network.).

As per claim 16, Coffman teaches a method of testing the compatibility of an application with a mobile device, the method comprising:

maintaining a profile of voice user interface capabilities associated with the device (conversational resource manager 220 from Fig. 2 defined in Page 20, lines 24-31);

controlling an emulator to emulate the voice user interface features of the device using at least part of the profile (Page 5, lines 1-11, "emulating similar calls and functionalities at the level of the conversational application APIs."); and running the application on the emulator (Page 18, lines 16-22).

As per claim 17, Coffman teaches an apparatus for testing the compatibility of an application with a mobile device, the apparatus comprising:

a reader for reading at least part of a profile of voice user interface capabilities associated with the device (conversational application and behavior/service manager layer 215 from Fig. 2, also Page 19, line 26 to page 20, line 4); and

an emulator for emulating the voice user interface features of the device using the at least part of the profile, and for running the application (Page 5, lines 1-11, "emulating similar calls and functionalities at the level of the conversational application APIs." Also Page 18, lines 16-22.).

As per claim 18, Coffman teaches an apparatus as claimed in claim 17, in which the profile is stored on the apparatus (Page 13, lines 1-3, also conversational resource manager 220 from Fig. 2 defined in Page 20, lines 24-31).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
6. Bellegarda (US Patent 7,149,695) provides the use of a language model 108 which is a context free grammar, such as a finite state grammar for his method and apparatus for speech recognition using semantic inference and word agglomeration (Col. 1, lines 45-49, and Col. 4, lines 42-47).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NATALIE LENNOX whose telephone number is (571)270-1649. The examiner can normally be reached on Monday to Friday 9:30 am - 7 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2626

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NL 07/03/2008

/Richemond Dorvil/

Supervisory Patent Examiner, Art Unit 2626